

REMARKS

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance.

Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 10–18 are in the present application. It is submitted that these claims, as originally presented, are patentably distinct over the prior art cited by the Examiner and are in full compliance with the requirements of 35 U.S.C. § 112. Changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled. Claims 1-9 are canceled.

The drawings were objected to because Figure 3 should be designated as prior art. In response, Applicants respectfully submit the attached replacement drawing sheet 3/3 in which the label —PRIOR ART—was added to Figure 3. Accordingly, Applicant believes this objection has been overcome.

The Specification was objected to because of various informalities. A replacement Abstract is presented to clearly describe the invention and comply with the 150 word limit. The paragraph starting at page 3, lines 24-25 was deleted to eliminate reference to specific claims. Several section headings were changed or added. However, as these are merely provided as guidelines, Applicant respectfully declines to incorporate further section headings. Accordingly, Applicant believes this objection should be withdrawn.

Claims 1-9 were objected to for improper claim language. In response, Claims 1-9 have been canceled and substantially rewritten as new claims 10-18. The new claims address each of the Examiner's comments. Accordingly, Applicant believes this objection has been overcome.

Claims 1-9 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. In response, Claims 1-9 have been canceled and substantially rewritten as new claims 10-18. The new claims address each of the Examiner's comments. Accordingly, Applicant believes this rejection has been overcome.

Claims 1, 5-6, and 8-9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicant Admitted Prior Art (AAPA) in view of Prasad et al. (U.S. Patent 6,298,387).

The present invention recites "the synchronization byte detector provides a lock detected output signal indicating the receiver is locked-in to one broadcast channel; said lock detected output signal being used as at least one of a feed forward signal and a feed back signal to switch processing stages at least one of succeeding and preceding, respectively, said synchronization byte detector." (Claim 10) As shown in Figure 3, the sync byte detector 1 feeds the lock detected output signal as an enable to various processing stages 2,3,6,7 in the channel decoder. It is important to note that controller 9 is a separate component external to the channel decoder and that this controller does not issue the lock detected output signal.

The Examiner relies on Prasad to meet the present invention's lock detected output signal limitations. Prasad discloses detecting a synchronization pattern using comparators 103, 105 in Figure 1. (Column 4, Lines 1-3) The controller 104 checks the comparators for detection of the

synch pattern and outputs a DATA_ENABLE signal. Hence, the controller issues the enable signal rather than the comparators which detect the synch pattern. Thus, Prasad fails to meet “the synchronization byte detector provides a lock detected output signal” limitation of the present invention. The Examiner cannot argue the controller is analogous to the present synchronization byte detector, because the present invention is clearly shown in Figure 1 as being used with a controller 9. Moreover, the enable signal disclosed by Prasad is used to determine whether the data is valid and can start to be used. (Column 4, Lines 21-30) Prasad does not disclose feeding the enable signal to other (preceding or succeeding) processing stages for further decoding before the data can be used. Hence, Prasad fails to meet “said lock detected output signal being used as at least one of a feed forward signal and a feed back signal to switch processing stages” as recited in the present claims.

Therefore, for at least these reasons, AAPA and Prasad fail to anticipate the present invention and new claims 10-18 should be allowed.

Claims 2-4 were rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Prasad and Lin et al. (U.S. Patent Publication 2003/0058967). Claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Prasad and Washington et al. (U.S. Patent 5,920,572). However, Lin and Washington are relied upon solely to meet limitations presented in the dependent claims. Thus, Lin and Washington in combination with AAPA and Prasad fail to meet the present invention’s lock detected output signal limitations for the reasons discussed above. Accordingly, Applicant believes new claims 10-18 should be allowed.


In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

No additional fees are deemed to be required for the filing of this amendment, but if such are, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By:

A handwritten signature in black ink, appearing to read "Darren M. Simon", written over a horizontal line.

Darren M. Simon
Reg. No. 47,946
(212) 588-0800